

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

**RAJENDRA D. BADGAIYAN, M.D.,**

**Plaintiff,**

**v.**

**Case No. 04-12031 JLT**

**ANTHONY J. PRINCIPI, Secretary,  
Department of Veterans' Affairs; President  
and Fellows of HARVARD COLLEGE; and  
Grace J. Mushrush, M.D.,**

**Defendants.**

**DEFENDANT PRESIDENT AND FELLOWS OF HARVARD COLLEGE'S  
REQUEST FOR LEAVE TO FILE PLEADINGS RESPONSIVE TO  
PLAINTIFF'S OPPOSITION TO DEFENDANTS FED. R. CIV. P. 56(c)  
MOTIONS FOR SUMMARY JUDGMENT**

Pursuant to LR. 7.1(B)(3), Defendant President and Fellows of Harvard College ("Harvard University" or "Harvard") requests leave to file pleadings responsive to the Plaintiff's Opposition to Harvard and the VA's Motions For Summary Judgment, Plaintiff Local Rule 56.1 Responses, and Plaintiff's affidavits in support thereof.

As reasons therefore, Harvard states that the Plaintiff has filed non-compliant documents in opposition to Harvard's Motion for Summary Judgment, and it would be just and proper for Harvard to present the reasons that all or part of the Plaintiff's documents should be stricken. Moreover, a memorandum in support of a Motion to Strike would assist the Court in deciding the Defendants' respective motions for Summary Judgment pursuant to Fed. R. Civ. P. 56(c).

For the foregoing reasons set forth here and in Defendant President and Fellows of Harvard College's Memorandum In Support of Its Motion To Strike Plaintiff's

Opposition to Motion For Summary Judgment, Plaintiff's Response to Harvard's Local Rule 56.1 Statement of Material Facts, and Plaintiff's Supporting Affidavits, Harvard respectfully requests that this honorable Court grant it leave to submit its responsive pleadings.

Respectfully submitted,  
Defendant, President and Fellows of  
Harvard College,  
By its attorneys,

/s/ Daniel S. Field

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Date: January 16, 2007

**Certificate of Service**

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on January 16, 2007.

/s/ Daniel S. Field  
Daniel S. Field